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The Rt Hon Michael Gove
Secretary of State for Environment, Food and
Rural Affairs
Seacole Building
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7 February 2019

Dear Michael,

Thank you for your letter of 1 February seeking my agreement to proceed with a joint public consultation on reforming the packaging producer responsibility system.

I welcome the work that has been undertaken by our respective officials in recent months to refine the proposals set out in the consultation document and, on that basis, am content to proceed to consultation in the week commencing Monday 18 February.

I note that the consultation will run for an 8 week period. Given these truncated timescales, it will be critically important to ensure every effort is made to engage our partners and the public in the consultation exercise. I understand our officials are already discussing plans in this regard.

Whilst I am content to proceed to consultation at this stage, you will appreciate that I am not yet in a position to set out the Scottish Government's final view on the delivery of packaging reform on a UK-wide basis. Our final position will, of course, be informed by the outcome of the consultation and, in particular, the governance model that is selected.

Further, I am clear that additional work is required alongside the consultation to agree appropriate mechanisms for the management of funding flowing from any UK-wide arrangements, ensuring appropriate recognition of Scottish Ministers' devolved competence for environmental measures and local government funding. I therefore have significant reservations in principle about a UK body distributing funding directly to Scottish local authorities and understand my officials have been in contact with yours to stress the importance of the consultation not closing off alternative options on this front.

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Finally, it will be critical to ensure that any reform of wider packaging producer responsibility takes full account of Scotland's Deposit Return Scheme as a means through which producers can satisfy their producer responsibility obligations. There is already a good level of agreement to the underlying principle that there needs to be a strong fit between these mechanisms. In reaching a final view on the way forward following the consultation, I will need to be satisfied that the option chosen can put this principle effectively into practice.

Given the timescales associated with the introduction of the planned UK Government Environment Bill, it will be important to make early progress with the above outstanding issues.

I look forward to that further engagement.

I am copying this letter to Hannah Blythyn, Deputy Minister for Housing and Local Government, Welsh Government; Dr Denis McMahon, Permanent Secretary Department of Agriculture, Environment and Rural Affairs, Northern Ireland and the Secretary of State for Scotland.

Yours,



ROSEANNA CUNNINGHAM